

Applicant: David A. Esposito
Application No.: 10/672,590

Remarks

Status

Claims 17-36 were pending in the Application. The Examiner withdrew claims 17-27 and 32 as directed to an apparatus invention. Also, the Examiner rejected claims 28-31 and 33-36 for the reasons defined in the Office Action.

On April 28, 2005, Applicant filed a Reply After Final amending certain claims, and traversing the rejection of claims 28-31 and 33-36 and the withdrawal of claims 17-27 and 32. After the Examiner filed an Advisory Action, the undersigned attorney for Applicant and the Examiner had a telephone conference on May 31, 2005 in which Applicant proposed an amended Claim 28. The Examiner stated the amended Claim 28 would be allowed.

Currently, claims 17, 19-25, 27-28, 30, 33-34, 36-43 are pending. Claims 29, 31-32 and 35 were canceled. In a July 25, 2005 Advisory Action, the Examiner made final the withdraw of Claims 17-27.

Claims 28 and 33-34 are amended. Claims 37-43 are new.

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Discussion

The undersigned Applicant's attorney again thanks the Examiner for the May 31, 2005 telephone conference and the Examiner's review and approval of the amended Claim 28.

The Claim 28 shown above in the Amendment section of this Reply is slightly different than the version approved by the Examiner on May 31, 2005. The changes were made for clarification purposes only. Except for the substitution of "traverses" for "proceeds down" in line 7, all the amendments are merely changes in the placement of certain clauses shown in the May 31, 2005 version of Claim 28. For the Examiner's convenience, attached is a marked-up version of Claim 28 showing the following: 1) changes between original Claim 28 and Claim 28 proposed on May 31, 2005; and 2) changes between the May 31st Claim 28 and the current proposed version (shown in double strike-out and bold underlining).

Claim 33 has been amended similarly to how Claim 28 was amended. Applicant submits the Examiner should allow Claim 33 since he also plans to allow Claim 28. The amendment to Claim 34 proposed on April 28, 2005 to correct a typographical error is again proposed in the instant Amendment.

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In the Final Office Action, the Examiner withdrew claims 17-27 and 32 as directed to an apparatus invention. Claim 32 is now canceled. Claims 17-27 are withdrawn.

In his July 25, 2005 Advisory Action, with respect to Claims 28 and 33, the Examiner stated that "from a list of predetermined principals' limitation is not tangible and only a state of mind." Applicant respectfully disagrees with this statement. As indicated in Paragraphs 0034-0035 of the Application, the predetermined principals include values listed in the value list field 52. See Figure 10. These values include but are not limited to the following: vision, responsibility, trust, discipline, loyalty and perseverance. Therefore, Applicant submits that the list of predetermined principals is tangible.

The remaining claims depend from claim 28 or 33 and, therefore, also are allowable for at least the reasons discussed above and for the further features recited therein.

Conclusion

For the foregoing reasons, Applicant respectfully submits that claims 28, 30, 33-34, 36-43 are in condition for allowance. Early allowance of said claims is requested.

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The undersigned would welcome the opportunity to further discuss this case with the Examiner if so desired by the Examiner.

Respectfully submitted,

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PATENT

MARKED-UP VERSION OF CLAIM 28 SHOWING:

- 1) CHANGES MADE TO ORIGINAL CLAIM 28 ON MAY 31, 2005; AND
- 2) ADDITIONAL CHANGES MADE TO MAY 31, 2005 VERSION (SHOWN IN DOUBLE-STRIKOUT AND BOLD UNDERLINING).

28. (Amended) A method of playing a game that requires players to analyze real life situations, the method comprising:

gathering a plurality of players;

selecting an order for the plurality of players to be a player-in turn;

wherein the players take taking turns being a player-in-turn;

wherein for each turn

~~a the player in-turn proceeds down traverses a path formed on a game board as they play the game, wherein the path on the game board has a start and finish point, wherein the path has a plurality of categories defined thereon;~~

~~a the player in-turn is provided with a hypothetical real-life scenario based on the category associated with their position on the path, wherein the scenario does not have a definitive answer but is used to provoke one's thoughts and principles;~~

the player in turn analyses the scenario and provides a response that describes what they believe should be done in response to the scenario; and

wherein the player-in-turn provides at least one principle, from a list of pre-determined principles, that assisted in their response; and

at least one of the other players scores the response.

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wherein the path on the game board has a start and finish point, wherein
players traverse the path as they play the game;
— wherein the path has a plurality of categories defined thereon, and the
player in turn is provided with a scenario based on their category on the path.